

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Alexandria Division**

## STATEMENT OF FACTS

The United States and the defendant, Sean Theodore Brehm, agree that, at trial, the United States would have proven the following facts beyond a reasonable doubt:

1. On or about November 25, 2010, the defendant: was employed by the Armed Forces outside the United States, as defined in Title 18, United States Code, Section 3267(1)(A)(ii)(I), that is, he was a contractor working for DynCorp International LLC (“DynCorp”), a contractor of the U.S. Department of Defense in the Islamic Republic of Afghanistan (“Afghanistan”); was present or residing outside the United States in connection with his employment; and was not a national of or ordinarily resident in Afghanistan. The defendant, who is a citizen of South Africa, was residing in Afghanistan in conjunction with his DynCorp job duties.
2. On or about November 25, 2010, the defendant was present at the Kandahar Airfield (“KAF”), an airport near Kandahar, Afghanistan, that is controlled and operated by the North Atlantic Treaty Organization. The defendant was present at KAF to meet and process DynCorp contractors who were arriving on an incoming flight.

3. While at KAF on or about November 25, 2010, the defendant and a man with the initials J.O. got into a verbal argument regarding a pre-existing personal dispute.
4. The verbal argument escalated into a physical altercation. During the physical altercation, the defendant removed a knife from his pocket and stabbed J.O. without just cause or excuse.
5. The stabbing resulted in serious bodily injury to J.O., including loss of blood, a laceration across his forearm and a cut in his abdomen. J.O. underwent emergency surgery immediately following the incident.
6. At all times pertinent, assault resulting in serious bodily injury, in violation of Title 18, United States Code, Section 113(a)(6), is punishable by imprisonment for more than 1 year had that conduct been engaged in within the special maritime and territorial jurisdiction of the United States.
7. The conduct described above occurred outside the jurisdiction of any particular State or District and within the venue of the United States District Court for the Eastern District of Virginia, in that the defendant was first brought to the Eastern District of Virginia, as provided by Title 18, United States Code, Section 3238.
8. This Statement of Facts incorporates in full the Joint Statement of Undisputed Facts and attachments filed in this case (docket number 32). The defendant hereby admits that all facts, including alleged conduct, in the Joint Statement of Undisputed Facts are true and the Joint Statement of Undisputed Facts shall be constructively amended as such.
9. This Statement of Facts includes those facts necessary to support the Plea Agreement between the defendant and the United States. It does not include each and every fact

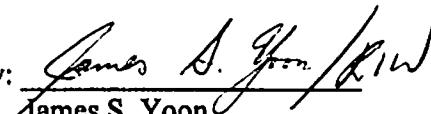
known to the defendant or the United States, and it is not intended to be a full enumeration of all the facts surrounding the defendant's case.

Respectfully submitted,

Neil H. MacBride  
United States Attorney

By:   
Ronald L. Walutes, Jr.  
Assistant United States Attorney

Lanny A. Breuer  
Assistant Attorney General  
U.S. Department of Justice  
Criminal Division

By:   
James S. Yoon  
Senior Trial Attorney  
U.S. Department of Justice  
Criminal Division  
Human Rights and Special Prosecutions Section

Date: 4/11/11

**DEFENDANT'S STIPULATION AND SIGNATURE**

After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, SEAN THEODORE BREHM, and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.



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Sean Theodore Brehm  
Defendant

Date: 4/8/2011

**DEFENSE COUNSEL'S SIGNATURE**

I am SEAN THEODORE BREHM's attorney. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.



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Michael S. Nachmanoff  
Counsel for the Defendant

Date: 4/8/11